

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

Writ Petition No. 20909 of 2010

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ORDER :
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This writ petition is filed declaring the action of the 1st respondent in not permitting the petitioner to participate in the tenders for the works at Sl.Nos.2 and 3 of the Tender Notice bearing No.2/SVVSD/2010-2011, dated 01.08.2010 by not issuing the Tender Schedules to the petitioner and not allowing him to participate in the tenders and awarding the tenders to the 6th respondent as illegal and arbitrary.

2. This Court has not granted any stay of the impugned proceedings but observed on 23.08.2010 in W.P.M.P.No.26590 of 2010 that the work, if any, entrusted pursuant to the impugned tender notice dated 01.08.2010 shall be subject to further orders by this Court.

3. Counter affidavit is filed by the 2nd respondent stating that the petitioner firm was removed from the list of registered contractors of Tirumala Tirupati Devasthanam, Tirupati for not performing the work allotted for a period of two years. Therefore, the petitioner firm is not eligible, qualified and possess valid trade licence. It is stated that the subject work has to be completed much prior to the commencement of Brahmotsavams of Lord Vinayaka Swamy which are to be performed from 11.09.2010 onwards. Accordingly, tenders were called for and the 6th respondent being the only tenderer has been entrusted with the work for the estimated cost value of the work though he filed the tender at 4.82% in excess for arches and 4.9% in excess for settings. The said work order was given to him on 17.08.2010 and the same has been completed by 31.08.2010 and the brahmotsavams were also completed.

4. Heard both sides.

5. Since it is categorically stated in the counter affidavit of the 2nd respondent that the subject tender work has been allotted to the 6th

respondent, who in turn had completed said work before Brahmotsavams in the year 2010, nothing survives for adjudication in this writ petition, as such, the same is liable to be dismissed.

Accordingly, this writ petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous applications, if any pending in this Writ Petition, shall stand dismissed.

A.RAJASHEKER REDDY, J

15.09.2015.
KVS

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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